UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

TONI T. PRIMM,)
Plaintiff,)
v.) Cause No. 4:07CV901 RWS
MICHAEL J. ASTRUE, Commissioner of Social Security,)))
Defendant.)

MEMORANDUM AND ORDER

This matter is before me on a Report and Recommendation that this matter be remanded to the Commissioner of Social Security for further proceedings. Neither of the parties has filed an objection to this recommendation. As a result, this case will be remanded under sentence-four of 42 U.S.C. § 405(g).

This matter was referred to United States Magistrate Judge Audrey G. Fleissig for a Report and Recommendation pursuant to 28 U.S.C. § 636(b). Judge Fleissig issued a Report and Recommendation on August 15, 2008 that recommended that the case be remanded to the Commissioner for further proceedings. Judge Fleissig found that the Administrative Law Judge's determination that Plaintiff was not disabled within the meaning of the Social Security Act was not supported by substantial evidence on the record as a whole. Judge Fleissig recommended that the case be remanded for a fuller evaluation of the Plaintiff's residual functioning capacity and for consideration of the subsequent need for testimony of a vocational expert.

Any objections to Judge Fleissig's Report and Recommendation had to be filed by August 26, 2008. Neither of the parties has filed an objection as of September 1, 2008.

Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation of the United States

Magistrate Judge Fleissig is SUSTAINED, ADOPTED AND INCORPORATED herein.

IT IS FURTHER ORDERED that, pursuant to sentence-four of 42 U.S.C. § 405(g), the decision of the Administrative Law Judge is **REVERSED** and the case is **REMANDED** for further proceedings in accordance with the Report and Recommendation.

RODNEY W. SIPPEL

UNITED STATES DISTRICT JUDGE

Dated this 2nd day of September, 2008.